

1 **IN THE CLAIMS**

2 The following listing of claims will replace all prior versions, and listings, of claims in
3 the subject application:

4
5 1.-24. **(Canceled)**

6
7 25. **(Currently Amended)** A composition for simultaneously coloring and highlighting hair,
8 said composition comprising:

9 approximately 1 to 30% by weight of a powder bleach composition;
10 approximately 20 to 60% by weight of an aqueous developer composition; and
11 approximately 20 to 60% by weight of an aqueous based hair colorant ~~comprised of~~
12 comprising 0.5-10% by weight of one or more cationic dyes;
13 wherein said components are mixed together just prior to application to the hair[[]]; and
14 wherein said composition for coloring and highlighting hair does not contain a xanthene
15 based component.

16
17 26. **(Previously Presented)** A composition according to claim 25, wherein said powder bleach
18 composition comprises at least one persulfate compound and at least one particulate filler.

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20 27. **(Previously Presented)** A composition according to claim 26, wherein said powder bleach
21 composition comprises from about 15 to 65% by weight of said at least one persulfate
22 compound.

1 28. **(Previously Presented)** A composition according to claim 26, wherein said persulfate
2 compound includes one or more compounds from the group consisting of alkali metals and
3 alkaline earth metals.

4
5 29. **(Previously Presented)** A composition according to claim 28, wherein said alkali metals
6 are selected from the group consisting of: lithium, sodium, potassium, and cesium.

7
8 30. **(Previously Presented)** A composition according to claim 28, wherein said alkaline earth
9 metals are selected from the group consisting of magnesium and calcium.

10
11 31. **(Previously Presented)** A composition according to claim 28, wherein said persulfates
12 comprise particles ranging in size from about 0.1 to 200 microns.

13
14 32. **(Previously Presented)** A composition according to claim 26, wherein said powder bleach
15 composition comprises from about 5 to 60% by weight of said particulate fillers.

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17 33. **(Previously Presented)** A composition according to claim 32, wherein said particulate
18 fillers are inert.

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20 34. **(Previously Presented)** A composition according to claim 32, wherein said particulate
21 fillers have a particle size of 0.1 to 250 microns.

35. **(Previously Presented)** A composition according to claim 34, wherein said particulate fillers are comprised of inorganics, inorganic salts, hydrophilic colloids, carbohydrates, soaps, or alkyl sulfates.

36. **(Previously Presented)** A composition according to claim 35, wherein said inorganics are selected from the group consisting of silica, hydrated silica, alumina, attapulgite, bentonite, calcium oxide, chalk, diamond powder, diatomaceous earth, fuller's earth, hectorite, kaolin, mica, magnesium oxide, magnesium peroxide, montmorillonite, pumice, talc, tin oxide, zeolite, and zinc oxide.

37. **(Previously Presented)** A composition according to claim 35, wherein said inorganic salts are selected from the group consisting of aluminum, sodium, potassium, magnesium, sodium metasilicate, sodium chloride, sodium silicate, aluminum citrate, calcium saccharin, calcium salicylate, calcium citrate, calcium benzoate, magnesium acetate, magnesium ascorbate, sodium citrate, sodium gluconate and sodium pyruvate.

38. **(Previously Presented)** A composition according to claim 35, wherein said hydrophilic colloids are selected from the group consisting of hydroxyethylcellulose, locust bean gum, maltodextrin, methylcellulose, agar, dextran, dextran sulfate, gelatin, pectin, potassium alginate, and sodium carboxymethylchitin.

39. **(Previously Presented)** A composition according to claim 35, wherein said carbohydrates are selected from the group consisting of sugars, glucose, sucrose, maltose, xylose, trehalose, sugar esters, C₁₄₋₃₀ fatty acids, dextrans, and cellulose.

40. **(Previously Presented)** A composition according to claim 35, wherein said soaps and alkyl sulfates are selected from the group consisting of aluminum distearate, aluminum isostearate, aluminum myristate, calcium behenate, calcium stearate, magnesium stearate, magnesium tallowate, potassium palmitate, potassium stearate, potassium oleate, sodium stearate, sodium oleate, sodium myristate, sodium palmitate, sodium laurel sulfate, sodium cetyl sulfate, sodium myristyl sulfate, and sodium octyl sulfate.

41. **(Previously Presented)** A composition according to claim 26, wherein said powder bleach composition further comprises inorganic colorants.

42. **(Previously Presented)** A composition according to claim 41, wherein said powder bleach composition comprises 0.01 to 2% of said inorganic colorant.

1 43. **(Previously Presented)** A composition according to claim 25, wherein said aqueous
2 developer composition comprises:

3 water;

4 hydrogen peroxide; and

5 an oily phase;

6 wherein said water phase comprises 50 to 99% by weight of said aqueous developer
7 composition, said hydrogen peroxide comprises 1 to 30% by weight of said aqueous developer
8 composition, and wherein said oily phase comprises 0.01 to 30% by weight of said aqueous
9 developer composition.

10
11 44. **(Original)** A composition according to claim 43, wherein said aqueous developer
12 composition comprises a water-in-oil emulsion.

13
14 45. **(Previously Presented)** A composition according to claim 43, wherein said aqueous
15 developer composition comprises an oil-in-water emulsion.

16
17 46. **(Original)** A composition according to claim 43, wherein said aqueous developer
18 composition comprises a clear aqueous solution.

19
20 47. **(Original)** A composition according to claim 43, wherein said oily phase is a hydrocarbon
21 oil.

1 48. **(Original)** A composition according to claim 43, wherein said oily phase is comprised of a
2 volatile silicone.

3
4 49. **(Previously Presented)** A composition according to claim 48, wherein said volatile silicone
5 is selected from the group consisting of octamethylcyclotetrasiloxane,
6 decamethylcyclopentasiloxane, and hexamethyldisiloxane.

7
8 50. **(Original)** A composition according to claim 43, wherein said oily phase is comprised of an
9 ester, glycerol esters of fatty acids, or nonvolatile hydrocarbons.

10
11 51. **(Original)** A composition according to claim 43, wherein said aqueous developer
12 composition further comprises a nonionic surfactant.

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14 52. **(Previously Presented)** A composition according to claim 51, wherein said nonionic
15 surfactant comprises 0.01 to 10% by weight of total aqueous developer composition.

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17 53. **(Original)** A composition according to claim 51, wherein said nonionic surfactant
18 comprises an alkoxylated alcohol, alkoxylated carboxylic acid, or sorbitan derivative.

1 54. **(Previously Presented)** A composition according to claim 53, wherein said alkoxylated
2 alcohol is selected from the group consisting of
3 products of a reaction of behenyl alcohol and ethylene oxide, wherein the number of
4 repeated ethylene oxide units is 5 to 30;
5 products of a reaction of cetyl alcohol, stearyl alcohol and ethylene oxide, wherein the
6 number of repeating ethylene oxide units is 2 to 100; or
7 products of a reaction of cetyl alcohol and ethylene oxide, wherein the number of
8 repeating ethylene oxide units is 1 to 45.

9
10 55. **(Previously Presented)** A composition according to claim 53, wherein said sorbitan
11 derivative is selected from the group consisting of Polysorbate 20-85, sorbitan oleate, sorbitan
12 palmitate, sorbitan sesquiisostearate and sorbitan stearate.

13
14 56. **(Original)** A composition according to claim 43, wherein said aqueous developer
15 composition further comprises a thickening agent.

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17 57. **(Previously Presented)** A composition according to claim 56, wherein said thickening
18 agent comprises 0.0001 to 5% by weight of said total aqueous developer composition.

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20 58. **(Previously Presented)** A composition according to claim 56, wherein said thickening
21 agent is comprised of an acrylic copolymer.

1 59. **(Previously Presented)** A composition according to claim 25, wherein said cationic dye
2 compound comprises 0.001 to 10% by weight of said total aqueous based hair colorant
3 composition.

4
5 60. **(Previously Presented)** A composition according to claim 25, wherein said cationic dye is
6 selected from the group consisting of azo, phenazine and thiazine.

7
8 61. **(Original)** A composition according to claim 25, wherein said cationic dye compound
9 further comprises a cationic surfactant.

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11 62. **(Previously Presented)** A composition according to claim 61, wherein said cationic
12 surfactant comprises 0.001 to 10% by weight of said aqueous based hair colorant composition.

13
14 63. **(Original)** A composition according to claim 25, wherein said cationic dye compound
15 further comprises oily ingredients.

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17 64. **(Previously Presented)** A composition according to claim 63, wherein said oily ingredients
18 comprise 0.001 to 20% by weight of said aqueous based hair colorant composition.

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20 65. **(Original)** A composition according to claim 25, wherein said cationic dye compound
21 further comprises humectants.

66. **(Previously Presented)** A composition according to claim 65, wherein said humectants
comprise 0.01 to 10% by weight of said aqueous based hair colorant composition.

67. **(Original)** A composition according to claim 25, wherein said cationic dye compound
further comprises protein derivatives.

68. **(Previously Presented)** A composition according to claim 67, wherein said protein
derivatives comprise 0.01 to 15% by weight of said colorant composition.

69. **(Withdrawn)** A single composition for simultaneously coloring and highlighting hair to
provide hair fibers having variations in tonality, hue and/or shade, comprising, by weight of the
total composition:

(a) 1-20% inorganic persulfate,

(b) 5-60% particulate fillers,

(c) 1-20% hydrogen peroxide,

(d) 0.01-10% of at least one cationic dye molecules.

70. **(Withdrawn)** A composition according to claim 69, wherein said particulate filler is
selected from the group consisting of inorganics, inorganic salts, hydrophobic colloids and
carbohydrates.

1 71. **(Withdrawn)** A composition according to claim 69, wherein said particulate filler
2 further comprises a carbohydrate selected from the group consisting of glucose, sucrose, maltose,
3 xylose, trehalose and derivatives thereof, in particular sugar esters of long chain, C₁₄₋₃₀ fatty
4 acids, as well as dextrans, cellulosics and derivatives thereof.

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6 72. **(Withdrawn)** A composition according to claim 69, wherein said particulate filler is
7 sucrose.

8
9 73. **(Withdrawn)** A composition according to claim 69, wherein said inorganic persulfate is
10 an alkali metal or alkaline earth metal persulfate, or mixtures thereof.

11
12 74. **(Withdrawn)** The composition of claim 69, wherein said cationic dye molecules are
13 selected from the group consisting of azo, phenazine, thiazine, and mixtures thereof.

14
15 75. **(Withdrawn)** A composition according to claim 69, wherein said composition comprises
16 0.01-20% of one or more cationic surfactants.

1 76. **(Withdrawn)** A one step method for simultaneously coloring and highlighting hair to
2 provide hair fibers having variations in tonality, hue, and/or shade comprising the steps of:

3 (a) combining, immediately prior to application, (i) a powder composition comprised of
4 at least one alkali metal or alkaline earth metal persulfate and a particulate filler, (ii) an aqueous
5 developer composition comprised of hydrogen peroxide; and (iii) an aqueous based colorant
6 composition; and

7 (b) applying the mixture of (a) to the hair for a period of time sufficient to cause
8 coloration and highlighting of the hair.
9

10 77. **(Withdrawn)** The method of claim 76 wherein the powder composition comprise 15-
11 63% by weight of the total composition of sodium or potassium persulfate, or mixtures thereof.
12

13 78. **(Withdrawn)** The method of claim 77 wherein the powder composition further
14 comprises 5-60% by weight of the total composition of one or more particulate fillers.
15

16 79. **(Withdrawn)** The method of claim 78, wherein said particulate filler is selected from the
17 group consisting of inorganics, inorganic salts, hydrophobic colloids and carbohydrates.
18

19 80. **(Withdrawn)** The method of claim 78, wherein said particulate filler further comprises a
20 carbohydrate selected from the group consisting of glucose, sucrose, maltose, xylose, trehalose
21 and derivatives thereof, in particular sugar esters of long chain, C₁₄₋₃₀ fatty acids, as well as
22 dextrans, celluloses and derivatives thereof.

- 1 81. **(Withdrawn)** The method of claim 78, wherein said particulate filler is sucrose.
2
- 3 82. **(Withdrawn)** The method of claim 78, wherein the powder composition further
4 comprises 0.01 - 2% by weight of inorganic colorant.
5
- 6 83. **(Withdrawn)** The method of claim 76, wherein the aqueous developer composition
7 comprises, by weight of the total composition, 50-99% water, 1-30% hydrogen peroxide, and
8 0.01-30% of an oily phase.
9
- 10 84. **(Withdrawn)** The method of claim 83, wherein the aqueous developer composition
11 additionally comprises 0.01-10% of a film forming polymer.
12
- 13 85. **(Withdrawn)** The method of claim 76, wherein the aqueous based colorant composition
14 comprises, by weight of the total composition, 0.01-10% of one or more cationic dye molecules.
15
- 16 86. **(Withdrawn)** The method of claim 85, wherein said cationic dye molecules are selected
17 from the group consisting of azo, phenazine, thiazine, and mixtures thereof.
18
- 19 87. **(Withdrawn)** The method of claim 86, wherein the aqueous based colorant has a pH of 4
20 to 7.
21
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1 88. **(Withdrawn)** The method of claim 87, wherein the aqueous based colorant composition
2 further comprises 0.01-20% of a cationic surfactant.

3
4 89. **(Withdrawn)** The method of claim 86, wherein the aqueous based colorant further
5 comprises, by weight of the total composition, 0.01-30% of a silicone selected from the group
6 consisting of volatile silicone, nonvolatile silicone, and mixtures thereof.

7
8 90. **(Withdrawn)** The method of claim 89, wherein the aqueous based colorant composition
9 further comprises 0.1-20% humectant.

10
11 91. **(Withdrawn)** The method of claim 86, wherein the aqueous based colorant composition
12 further comprises 0.1-10% of one or more protein derivatives.

13
14 92. **(Withdrawn)** The method of claim 76, wherein the mixture of (a) comprises, by weight
15 of the total mixture, about 1-30% (i) 20-60% of (ii); and 20-60% of (iii).

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17 93. **(Withdrawn)** The method of claim 92, wherein the mixture of (a) has a pH of about 7.5
18 to 11.

19
20 94. **(Withdrawn)** The method of claim 93, wherein the mixture of (a) is applied to the hair
21 for about 5 to 40 minutes and then rinsed out with water.

1 95. **(Withdrawn)** A composition according to claim 94, wherein said inorganic persulfate is
2 an alkali metal or alkaline earth metal persulfate, or mixtures thereof.

3
4 96. **(Withdrawn)** The composition of claim 94, wherein said cationic dye molecules are
5 selected from the group consisting of azo, phenazine, thiazine, and mixtures thereof.

6
7 97. **(Withdrawn)** The composition of claim 94, wherein said cationic surfactant comprises a
8 quaternary ammonium compound.

9
10 98. **(Original)** A composition according to claim 47, wherein said hydrocarbon oil is a C₁₂
11 isoparaffin.